

**UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION**

MUHAMMED AZIZ,

Plaintiff,

v.

Case No. 19-11217
Hon. Denise Page Hood

COUNTY OF WAYNE,

Defendant.

**ORDER ACCEPTING REPORT AND RECOMMENDATION
AND DISMISSING ACTION**

This matter comes before the Court on Magistrate Judge Elizabeth A. Stafford's Report and Recommendation. [ECF No. 23]

Pro se Plaintiff Muhammed Aziz filed this action pursuant to 42 U.S.C. § 1983 against several Defendants, but only the County of Wayne (hereinafter, "Defendant") remains. Plaintiff filed this action on or about April 26, 2019, and he was granted the right to proceed *in forma pauperis*.¹ By and since August 5, 2019, any correspondence from the Court (and, apparently, Defendant) to Plaintiff has been returned as undeliverable, and the Court has not been advised of any address for Plaintiff other than the one he identified when initiating this case.

¹A second plaintiff, Michael Fleming, was dismissed by the Court when it granted *in forma pauperis* status to Plaintiff.

On March 23, 2020, Defendant filed a Motion to Dismiss. [ECF No. 20] When Plaintiff did not timely respond to the Motion to Dismiss, Magistrate Judge Elizabeth Stafford ordered Plaintiff to show cause why his complaint should not be dismissed for violation of Rule 11.2 and failure to prosecute. Plaintiff did not respond to the order to show cause or otherwise file anything with the Court. On August 10, 2020, Magistrate Judge Stafford issued a Report and Recommendation to grant Defendant's Motion to Dismiss. [ECF No. 23] Neither party has objected to the Report and Recommendation.

The Court has had an opportunity to review this matter and finds that the Magistrate Judge reached the correct conclusions for the proper reasons. Finding no error in the Magistrate Judge's Report and Recommendation, the Court adopts the Report and Recommendation in its entirety. Furthermore, as neither party has raised an objection to the Report and Recommendation, the Court finds that the parties have waived any further objections to the Report and Recommendation. *Smith v. Detroit Fed'n of Teachers Local 231*, 829 F.2d 1370, 1373 (6th Cir. 1987) (a party's failure to file any objections waives his or her right to further appeal); *Thomas v. Arn*, 474 U.S. 140, 149 (1985).

For the reasons stated above,

IT IS ORDERED that the Report and Recommendation [Docket No. 23, filed

August 10, 2020] is **ADOPTED** as this Court's findings of fact and conclusions of law.

IT IS FURTHER ORDERED that Defendant's Motion to Dismiss [Docket No. 20, filed March 23, 2020] is **GRANTED**.

IT IS FURTHER ORDERED that this action is **DISMISSED** with prejudice.

IT IS ORDERED.

	<u>s/Denise Page Hood</u>
DATED: September 24, 2020	United States District Judge